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09/921,619	08/03/2001	J. Dewey Weaver III	41061/261992	7508

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EXAMINER

CHANG, SHIRLEY

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/921,619

Applicant(s)

WEAVER ET AL.

Examiner

Shirley Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/7/05, 1/3/02</u> | 6) <input type="checkbox"/> Other: ____  |

**Claim Rejections - 35 U.S.C. § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1. Claims 1-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by Novak (2002/0104099).**

As to claim 1, Omoigui discloses:

establishing a database on a first server, wherein the database includes content information and user subscription information for one or more users ("The information maintained in the live content database 30 is used by analysis/search engine 22 (FIG. 3) to evaluate and search user information from users of the client processing devices 12 (FIG. 1). A user provides, as part of his or her user information, a set of criteria and which fields the criteria should be applied to. Examples of such criteria were given above in connection with FIG. 4. The user can provide such criteria via any of a wide variety of conventional input mechanisms, such as a graphical user interface (GUI), an example of which is discussed below. In the illustrated example, the user is able to

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search any of the fields in live content database 30. Analysis/search engine 22 compares the user-provided criteria to each entry (entries 212-218) in the database 30, or vice versa, to determine whether the electronic presentation corresponding to the entry satisfies the user criteria. Any of a variety of conventional searching algorithms and methodologies can be used. For example, any entry with at least one word matching one of the user criteria may satisfy the search request, or, an entry may be required to include every word in the search criteria in order to satisfy the search request, etc." [0060])."

organizing the content information for each user based on the user subscription information (figs 4 and 5).

sending the content information to the user at a user terminal ("When the server sends the notifications, the notifications can be received by the user interface unit and rendered into a display for the user to view" [0071]).

As to claim 2, Omoigui discloses:

requesting updated content information from a second server ("name/title field 212 includes the name or title of the current electronic presentation that is being broadcast by a source. In the illustrated example, four different sources are being monitored for electronic broadcasts that include the Microsoft company meeting, Wild Planet, the American League Championship game, and the MTV Countdown. As these electronic presentations are being broadcast, meta information is regularly received by the notification server 14 that describes what is taking place during the broadcast. This information is used to continuously update the database so that client notifications can

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be sent in a timely manner.” [0054]; “In this way, information that is generated before, during and concerning various electronic presentations from a number of different sources can be monitored. The generated information is processed to determine whether any of a number of different users would be interested in viewing at least a portion of a particular electronic presentation. In the described embodiment, the generated information is processed by one or more notification servers 14 that compare the generated information with user information provided by one or more users. The information concerning the various electronic presentations can be periodically updated and subsequently used to search the user information” [0067]).

As to claim 3, Omoigui discloses:

wherein the updated content information is requested periodically (met as discussed in claim 2).

As to claim 4, Omoigui discloses:

receiving a user request for content information (“Information regarding electronic presentations that satisfies any of the user-specified criteria is provided to the client processing device 12 of the user that placed the request. Such information may be the entire entry from database 30 (e.g. one or more of the row entries of FIG. 5), or alternatively, a selected portion (e.g., the title field 212 and source field 214 for the entry). The source field 214 is provided to the client processing device to allow the user to subsequently request the presentation, for example via the client processing device, from the appropriate source or encoder. In the illustrated example, the data in source field 214 can comprise a uniform resource locator (URL) that identifies a particular

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presentation available from a particular encoder. A user can accordingly click a link to the URL and be automatically connected to the presentation" [0061])

As to claim 5, Omoigui discloses:

wherein the content information includes links ("Information regarding electronic presentations that satisfies any of the user-specified criteria is provided to the client processing device 12 of the user that placed the request. Such information may be the entire entry from database 30 (e.g. one or more of the row entries of FIG. 5), or alternatively, a selected portion (e.g., the title field 212 and source field 214 for the entry). The source field 214 is provided to the client processing device to allow the user to subsequently request the presentation, for example via the client processing device, from the appropriate source or encoder. In the illustrated example, the data in source field 214 can comprise a uniform resource locator (URL) that identifies a particular presentation available from a particular encoder. A user can accordingly click a link to the URL and be automatically connected to the presentation" [0061]).

As to claim 6, Omoigui teaches:

Receiving criteria from a user terminal; and searching the database for content information matching ("The information maintained in the live content database 30 is used by analysis/search engine 22 (FIG. 3) to evaluate and search user information from users of the client processing devices 12 (FIG. 1). A user provides, as part of his or her user information, a set of criteria and which fields the criteria should be applied to. Examples of such criteria were given above in connection with FIG. 4. The user can provide such criteria via any of a wide variety of conventional input mechanisms, such

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as a graphical user interface (GUI), an example of which is discussed below. In the illustrated example, the user is able to search any of the fields in live content database 30. Analysis/search engine 22 compares the user-provided criteria to each entry (entries 212-218) in the database 30, or vice versa, to determine whether the electronic presentation corresponding to the entry satisfies the user criteria. Any of a variety of conventional searching algorithms and methodologies can be used. For example, any entry with at least one word matching one of the user criteria may satisfy the search request, or, an entry may be required to include every word in the search criteria in order to satisfy the search request, etc." [0060]).

As to claim 12, Omoigui discloses:

a first server; a database in communication with said first server, wherein said database includes content information and user subscription information; and wherein said server is configured to organize the content information for each user based on the user subscription information and the content information to a user at a user terminal (met as discussed in claim 1).

As to claim 13, Omoigui discloses:

wherein said first server is further configured to request updated content information from a second server (met as discussed in claim 2).

As to claim 14, Omoigui discloses:

wherein said first server is configured to request updated content information from a second server periodically (met as discussed in claim 3).

As to claim 15, Omoigui discloses:

wherein said server is further configured receive a user request for content information (met as discussed in claim 4).

As to claim 16, Omoigui discloses:

wherein said server is further configured to receive criteria from a user terminal and search the database for content information matching the criteria (met as discussed in claim 6).

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 7-11 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novak (2002/0104099) in view of Omoigui (2005/0108747).**

As to claim 7,

Omoigui does not disclose sending the content information to a user terminal if the user subscription information has an access granted flag to the content information. However, Crowther teaches a television system which loads tokens into the subscriber's controlled sub-system to control access to a pay-per-view channel. It would have been obvious modifying Omoigui based on the teaching of Crowther to use subscription tokens to add the personal channel to ensure only authorized clients are able to view



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the personal channel ([4, 31-42]; [5, 14-37]). Therefore, it would have been obvious to one having ordinary skill in the art to modify Omoigui to include the claimed limitation to ensure only authorized clients are able to access the personal channel thus providing a more secure system.

As to claim 8,

sending content to a user if the user subscription information has an access granted flag (met as discussed in claim 7).

As to claim 9,

wherein the access permission indications include a tag (met as discussed in claim 7, since a flag is a kind of tag [Microsoft Computer Dictionary, fifth edition]).

As to claim 10, Omoigui discloses:

wherein an access granted flag includes the user serial number ("FIG. 4 illustrates entries in an exemplary user information database, such as database 28 (FIG. 3) generally at 200. In the illustrated example, four fields are provided, i.e. a client ID field 202, a title field 204, a subject field 206, and a descriptive information field 208. It is to be understood that this constitutes but one example of possible entries in a user information database. Other entries are, of course, possible" [0046]; "The client ID field 202 holds the identification of each client processing device or user. The identification is used when a notification is to be sent to a user. The identification can be a URL, email address, or any other suitable type of identification that enables notification server 14 to send a notification to a particular client processing device or user. In the present

example, there are four users or clients who have registered for notifications. The clients are numbered 1 through 4" [0048]).

As to claim 11,

sending content to a user; displaying the content at the user terminal if the user subscription information includes an access granted flag (met as discussed in claim 7);

As to claim 17, Omoigui discloses:

wherein the user subscription information further comprises: access permission indications to the content information, wherein the access permission indications include either an access granted flag or an access denied flag; and wherein said first server is further configured to send the content information to a user if the user subscription information has an access granted flag to the content information (met as discussed in claim 7).

As to claim 18,

wherein said first server is further configured to send content to a user terminal if the user subscription information has an access granted flag (met as discussed in claim 8).

As to claim 19,

wherein the access permission indications include a tag (met as discussed in claim 9).

As to claim 20,

wherein an access granted flag includes the user serial number (met as discussed in claim 10).

As to claim 21,

wherein the first server is further configured to send content to a user terminal and display the content at the user terminal if the user subscription information includes an access granted flag (met as discussed in claim 11).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shirley Chang whose telephone number is (571) 272-8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SC

  
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